

1 JASON M. FRIERSON
United States Attorney
2 Nevada Bar No. 7709

3 MICHONNE L. OMO, SBN IL 6309833
Special Assistant United States Attorney
4 160 Spear Street, Suite 800
San Francisco, California 94105
5 Telephone: (510) 970-4845
Facsimile: (415) 744-0134
6 E-Mail: michonne.omo@ssa.gov

7 Attorneys for Defendant
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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 JANE HUNTER,

13 Plaintiff,

14 v.

15 KILOLO KIJAKAZI,
16 Acting Commissioner of Social Security,

17 Defendant.

)
) Case No. 2:22-cv-01534-DJA

) **MOTION FOR AN EXTENSION OF TIME TO**
) **PROVIDE THE COURT WITH A PAPER**
) **COPY OF THE CERTIFIED**
) **ADMINISTRATIVE RECORD**

) ***(FIRST REQUEST)***
)

1 Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the “Commissioner”), by
2 and through her undersigned attorneys, hereby moves for a 14-day extension of time to provide the
3 Court with a paper copy of the Certified Administrative Record (CAR) in this case. The
4 Commissioner’s answer and CAR are due to be filed by November 18, 2022.

5 The Commissioner intends to file her answer and an electronic copy of the CAR (e-CAR) prior
6 to the current deadline of November 18, 2022, due to the undersigned attorney’s previously planned
7 leave. The Social Security Administration’s Office of Appellate Operations (OAO), the Office of the
8 General Counsel (OGC), and the United States Attorney’s Office (USAO) have coordinated to print
9 and file a paper copy the CAR. A copy has been made and is en route, however, shipping information
10 indicates it may not arrive in time to be filed at the same time as the answer and e-CAR. Accordingly,
11 the Commissioner requests a 14-day extension of time, until December 2, 2022, to ensure ample time
12 to file the paper courtesy copy of the CAR for the Court and to account for possible delays due to the
13 Thanksgiving holiday.

14 The Commissioner submits that no prejudice will result from granting this extension. Under
15 the scheduling orders in this district, Plaintiff’s motion for reversal and/or remand will be due in 30
16 days after issuance of a scheduling order. Plaintiff will not be prejudiced by this extension, as
17 Plaintiff’s counsel will have access to the e-CAR that the Commissioner intends to file on CM/ECF
18 prior to the current deadline, such that Plaintiff’s motion can be drafted and filed. In addition, the
19 scheduling orders of this district generally allow the Commissioner to file a cross-motion to affirm and
20 response to Plaintiff’s motion within 30 days after Plaintiff’s motion is filed. Plaintiff is also generally
21 allowed another 20 days to file an optional reply. In light of this timeline, the earliest that the Court
22 may require a paper copy of the CAR to adjudicate this case would be 60 days after the CAR is filed.

23 For these reasons, the Commissioner respectfully requests that the Court grant this motion and
24 allow the paper CAR to be provided to the Court within 14 days from the original deadline.

1 Dated: November 15, 2022

2 Respectfully submitted,
3 JASON M. FRIERSON
4 United States Attorney

5 /s/ Michonne L. Omo
6 MICHONNE L. OMO
7 Special Assistant United States Attorney
8 Attorneys for Defendant

9 **IT IS SO ORDERED.** The Commissioner shall provide a paper copy of the CAR to the Court
10 by December 2, 2022.

11 DATED: 11/15/2022

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13 DANIEL J. ALBREGTS
14 UNITED STATES MAGISTRATE JUDGE
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CERTIFICATE OF SERVICE

I, the undersigned, am a citizen of the United States and am at least eighteen years of age. My business address is 160 Spear Street, Suite 800, San Francisco, California 94105. I am not a party to the above-entitled action. On the date set forth below, I caused service of:

MOTION FOR AN EXTENSION OF TIME TO PROVIDE THE COURT WITH A PAPER COPY
OF THE CERTIFIED ADMINISTRATIVE RECORD
on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which provides electronic notice of the filing:

Leonard Stone
lstone@shookandstone.com
Marc V. Kalagian
marc.kalagian@rksslaw.com
Attorneys for Plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15, 2022.

/s/ Michonne L. Omo
MICHONNE L. OMO
Special Assistant United States Attorney